

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 PM-09 H-02 INR-10 L-03 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12 NEA-10

GAC-01 TRSE-00 MBFR-03 SAJ-01 CU-04 ACDA-19 OMB-01

IO-12 AF-10 /153 W

----- 116641

R 051220 Z MAY 73

FM AMEMBASSY HELSINKI

TO SECSTATE WASHDC 6069

INFO ALL CSCE CAPITALS 220

SECDEF WASHDC

USMISSION BERLIN

C O N F I D E N T I A L HELSINKI 1198

E. O. 11652: GDS

TAGS: PFOR, OCON

SUBJ: CSCE: PRINCIPLES OF INTER- STATE RELATIONS

VIENNA FOR USDEL MBFR

REF: HELSINKI 1136

1. BEGIN SUMMARY: IN LENGTHY DISCUSSION ON MAY 4, SWEDISH DRAFT ON APRIL 30 (REFTTEL) WAS ACCEPTED AS BASIC WORKING TEXT FOR MPT " MINI- GROUP' S" FURTHER CONSIDERATION OF LANGUAGE TO INTRODUCE PRINCIPLES. ALLIES AND NEUTRALS REPS TOOK LEAD IN WELCOMING SWEDISH TEXT, WITH MINOR DRAFTING SUGGESTIONS. SOVIETS, AIDED BY GDR, CZECHS, AND HUNGARIANS, EVIDENCED THEIR DESIRE TO MOVE AHEAD RAPIDLY ON BASKET I BY OFFERING TO HOLD BACK ALTERATIONS TOUCHING ON SENSITIVE ISSUES (E. G., THOSE RELATING TO SOURCES AND APPLICATION OF PRINCIPLES) IF OTHERS WOULD DO THE SAME. STILL, SEVERAL CHANGES PROPOSED IN THIS FIRST REVIEW OF SWEDISH DRAFT TOUCHED ON KEY ISSUES. ITALY RENEWED CALL FOR REFERENCE TO UN FRIENDLY RELATIONS DECLARATION AS ONE OF SOURCES, PORTUGAL INSISTED ON REFERENCE TO UN CHARTER RATHER THAN PRINCIPLES.

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PLES AND PURPOSES OF UN, AND BOTH ROMANIA AND NETHERLANDS CALLED FOR ADDITION OF LANGUAGE ON LINKAGE OF THE PRINCIPLES. NEVERTHELESS, WE THINK DELICATELY BALANCED SWEDISH COMPROMISE TEXT WILL HOLD UNDER FURTHER DEBATE WITH MAJOR CHANGE. END SUMMARY.

2. FOLLOWING IS COMPOSITE TEXT CONTAINING (IN PARENTHESES PRINCIPAL SPECIFIC DRAFTING CHANGES PUT FORWARD IN THIS INITIAL DISCUSSION, TOGETHER WITH INDICATION OF REPS WHO SPOKE FOR THEM (MANY OF WHOM NOT ACTING ON INSTRUCTIONS AT THIS POINT):

BEGIN TEXT: THE COMMITTEE/ SUB- COMMITTEE IS CHARGED WITH THE TASK OF CONSIDERING AND STATING, IN CONFORMITY WITH THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS (ADD: CHARTER- PORTUGAL) (ADD: AS THEY ARE POINTED OUT IN RELEVANT DOCUMENTS- SWITZ.) THOSE BASIC PRINCIPLES WHICH THE PARTICIPATING STATES MUST (WILL/ SHALL- FRG) RESPECT AND APPLY (ADD: IN THEIR MUTUAL RELATIONS - ROMANIA, FRANCE, SPAIN) TO ENSURE THE PEACE AND SECURITY OF ALL PARTICIPATING STATES, REGARDLESS OF THEIR GEOGRAPHIC LOCATION (ADD: SIZE, LEVEL/ STAGE OF DEVELOPMENT - SPAIN, ROMANIA), ECONOMIC, POLITICAL OR SOCIAL SYSTEM.

THE PRINCIPLES TO BE STATED SHALL BE EMBODIED IN AN INSTRUMENT (DOCUMENT - US, UK, FRANCE, NORWAY, FRG, PORTUGAL, SPAIN) OF APPROPRIATE FORM TO BE SUBMITTED TO (... SUBMITTED FOR ADOPTION BY - USSR, SPAIN) THE CONFERENCE. IT SHALL EXPRESS THE DETERMINATION OF THE PARTICIPATING STATES TO RESPECT AND APPLY THE PRINCIPLES EQUALLY AND UNRESERVEDLY AND LAY DOWN THE CORRESPONDING RIGHT OF EVERY PARTICIPATING STATE TO BENEFIT FULLY FROM THEIR APPLICATION (... UNRESERVEDLY SO THAT EACH STATE SHALL BENEFIT FULLY FROM THEIR APPLICATION - UK).

THE REAFFIRMATION, WITH SUCH CLARIFICATION AS MAY BE DEEMED DESIRABLE, AND PRECISE STATEMENT IN CONFORMITY WITH THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS, OF THE FOLLOWING BASIC PRINCIPLES (... FOLLOWING PRINCIPLES OF PRIMARY SIGNIFICANCE - HUNGARY, USSR) GUIDING THE POLICIES (RELATIONS - SPAIN) AND CONDUCT OF STATES ARE DEEMED TO BE OF PARTICULAR IMPORTANCE: END TEXT.

3. WHILE WE DO NOT EXPECT THAT THESE WILL BE THE ONLY DRAFTING CHANGES PROPOSED OR THAT ALL OF THESE WILL BE DEFENDED STRONGLY IN FURTHER DISCUSSION, THIS COMPOSITE TEXT DOES SUGGEST THAT
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DRAFTING PROBLEM MAY NOW AT LAST BE MANAGEABLE.

4. REGARDING SOURCES OF PRINCIPLES, WHICH HAS BEEN A MAJOR ISSUE FOR THE MANDATE, THE FORMULATION " PRINCIPLES AND PURPOSES OF THE UNITED NATIONS" CLEARLY ENJOYED WIDE INITIAL SUPPORT, INCLUDING FRG. WARSAW PACT SPEAKERS WARNED THAT CHANGES IN THIS FORMULATION COULD BRING DISCUSSIONS BACK TO SQUARE ONE. PORTUGUESE REP. ALONE

INSISTED ON REFERENCE TO UN CHARTER (WITH OVERSEAS TERRITORIES CLEARLY IN MIND). ITALIANS, WITH GESTURE OF SUPPORT FROM TURKS, ARGUED FOR REFERENCE TO UN FRIENDLY RELATIONS DECLARATION. ITALIANS ALSO WELCOMED THAT TERM " REAFFIRMATION" IN PARA 3 OF SWEDISH TEXT MAKES USEFUL POINT THAT WE ARE NOT PRODUCING NEW PRINCIPLES BUT REAFFIRMING THOSE WHICH EXIST AND WHICH WE CONSIDER VALUABLE.

5. REAPPLICATION OF PRINCIPLES, SWEDISH TEXT CONTAINS HELPFUL LANGUAGE IN EACH OF ITS THREE PARAGRAPHS AND COMMANDS CONSIDERABLE SUPPORT. MAJOR OMISSION IN TEXT RELATES TO LINKAGE OF PRINCIPLES. ROMANIAN REP. CALLED FOR INCLUSION OF AN ADDITIONAL PARAGRAPH ON LINKAGE, WHILE NETHERLANDS RESERVED RIGHT TO PROPOSE ADDITIONAL LANGUAGE IN INTRODUCTION IF PROBLEM NOT ADEQUATELY TAKEN CARE OF IN FORMULATION OF LIST OF PRINCIPLES. (US IS CONSULTING WITH UK AND OTHER ALLIES TO ENSURE THAT LINKAGE INTEREST IS NOT COMPROMISED BY VAGUE HALFWAY HOUSE.)

6. FOLLOWING COMMENTS AT END OF DISCUSSION BY SWEDISH LEGAL EXPERT (BLIX) WILL ALSO PLAY A ROLE IN DETERMINING DIRECTION OF FURTHER DRAFTING: RE SOURCES, HE POINTED TO RANGE OF GENERALLY RECOGNIZED SOURCES AS ARGUMENT FOR AVOIDING SINGLING OUT FOR REFERENCE HERE ANY SPECIFIC ONES. RE LINKAGE, HE ARGUED THAT IT IS EVIDENT IN INTERNATIONAL LAW THAT PRINCIPLES DO " SUPPLEMENT" EACH OTHER.

7. DISCUSSION WILL BE CONTINUED ON WEDNESDAY, MAY 9.
WHITE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PFOR
Control Number: n/a
Copy: SINGLE
Draft Date: 05 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973HELSIN01198
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: HELSINKI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730537/aaaaiaah.tel
Line Count: 145
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 17 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17-Aug-2001 by martinml>; APPROVED <09-Nov-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> mcm 971215
Subject: CSCE: PRINCIPLES OF INTER- STATE RELATIONS
TAGS: PFOR, OCON
To: ALL CSCE CAPITALS 220
BERLIN
EUR
SECSTATE WASHDC
WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

